IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No. 1063 of 2002
In
MISC.CIVIL APPLICATION - FOR DIRECTION No. 1468 of 2002
In SPECIAL CIVIL APPLICATION No. 6666 of 2002
With
CIVIL APPLICATION No. 8410 of 2002
In LETTERS PATENT APPEAL No. 1063 of 2002

For Approval and Signature:

HONOURABLE THE ACTING CHIEF JUSTICE Y.R.MEENA

HONOURABLE MR.JUSTICE D.A.MEHTA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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GUJARAT UNIVERSITY - Appellant(s)
Versus
BALGE SNEHAL & 4 - Respondent(s)

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Appearance :
MR MITUL K SHELAT for Appellant(s) : 1,
MR AMIT M PANCHAL for Respondent(s) : 1,
MR SP HASULKAR, AGP. for Respondent(s) : 2,4 - 5.
MR DC DAVE for Respondent(s) : 3,

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CORAM : HONOURABLE THE ACTING CHIEF JUSTICE Y.R.MEENA
and
HONOURABLE MR.JUSTICE D.A.MEHTA

Date : 26/04/2006

ORAL JUDGMENT

(Per : HONOURABLE THE ACTING CHIEF JUSTICE Y.R.MEENA)

1 This Appeal has been filed against the judgment and order dated 22/10/2002 passed by the learned Single Judge in Misc. Civil Application No. 1468 of 2002 whereby the Appellant University moved the learned Single Judge for review of the judgment and order dated 1/10/2002 which had been passed without the Appellant University being made a party to the proceedings in the main petition being Special Civil Application No. 6666 of 2002. Miscellaneous Civil Application came to be rejected by the learned Single Judge and hence this Appeal.

2 It is an accepted position that the main issue as to whether the respondent is entitled to be admitted to Master of Computer Application course has already been considered and decided in Letters Patent Appeal No. 1062 of 2002 vide order of even date. The said Appeal has been allowed. In the circumstances, without entering into any discussion as to the facts and the issues in detail suffice it to state that this Appeal

requires to be dismissed as Letters Patent Appeal No. 1062 of 2002 has been allowed. This Appeal is accordingly dismissed.

CIVIL APPLICATION No. 8410 of 2002.

In light of the order made in Appeal, this Civil Application having become infructuous is rejected as such.

(Y.R.MEENA, Actg. C.J)

(D.A.MEHTA, J)

m.m.bhatt